United Nations A/73/689–S/2018/1167

General Assembly
Security Council

Distr.: General
31 December 2018

Original: English

General Assembly
Seventy-third session
Agenda items 35 and 41

Protracted conflicts in the GUAM area and their implications for international peace, security and development

The situation in the occupied territories of Azerbaijan

Security Council
Seventy-third year

Letter dated 26 December 2018 from the Permanent Representative of Azerbaijan to the United Nations addressed to the Secretary-General

I have the honour to write you to register our strongest protest against the continued circulation by the Republic of Armenia of various papers (see the latest one, A/73/628-S/2018/1085) on behalf of the puppet regime it has set up in the occupied territories of my country in violation of the Constitution of the Republic of Azerbaijan, the Charter of the United Nations, international law and the relevant resolutions of the Security Council.

It is well known that Armenia used military force to seize a part of the territory of Azerbaijan, including the Nagorno-Karabakh region, the seven adjacent districts and some exclaves, to ethnically cleanse the captured areas of all non-Armenians and set up the racist minority regime there. The objective of this aggression has been achieved at the cost of incalculable human tragedies and sufferings. The war waged by Armenia claimed the lives of tens of thousands of people, ruined cities, towns and villages and resulted in the forcible expulsion of more than 1 million Azerbaijanis from their homes and properties, while thousands of people went missing in connection with the conflict.

By propagating the unlawful regime and thus trying to deny the irrefutable facts and evade responsibility, Armenia apparently abuses its membership in the United Nations to mislead the international community by means of outrageous falsification and demonstrates its disregard for the generally accepted norms and principles of international law.

This action by Armenia also testifies to how it is far from engaging in a constructive search for a peaceful resolution of the conflict. Indeed, the declared commitments of Armenia, on the one hand, and its deeds, on the other, have always been at odds with the objective of a political settlement of the conflict.

Please recycle

All papers Armenia circulates in the United Nations and other international organizations on behalf of the unlawful puppet regime are null and void ab initio and must be rejected and disregarded at the outset. In this connection, the following needs to be particularly emphasized.

In its resolutions 822 (1993), 853 (1993), 874 (1993) and 884 (1993), the Security Council condemned the use of force against Azerbaijan and the bombardment and occupation of its territories and reaffirmed respect for the sovereignty and territorial integrity of Azerbaijan, the inviolability of international borders and the inadmissibility of the use of force for the acquisition of territory. In response to Armenia's territorial claims and forcible actions, the Council reconfirmed that the Nagorno-Karabakh region is an integral part of the Republic of Azerbaijan and demanded the immediate, complete and unconditional withdrawal of the occupying forces from all the occupied territories.

A declaration approved on 4 November 1993 by the nine countries of the Minsk Group of the Conference on Security and Cooperation in Europe, in connection with the expansion of territorial seizures by the Armenian armed forces notwithstanding the Security Council resolutions, stated in particular that "no acquisition of territory by force can be recognized, and the occupation of territory cannot be used to obtain international recognition or to impose a change of legal status".[1]

Armenia's persistent denial of its responsibility for the aggression against Azerbaijan and unlawful occupation of and military presence in my country's territory has been effectively put to an end by the Grand Chamber of the European Court of Human Rights in its landmark judgment of 16 June 2015 in the case of *Chiragov and others v. Armenia*. Having examined the evidence presented, the Court concluded that:

- "The Republic of Armenia, through its military presence and the provision of military equipment and expertise, has been significantly involved in the Nagorno-Karabakh conflict from an early date".
- "This military support has been – and continues to be – decisive for the conquest of and continued control over the territories in issue".
- The regime in those territories "survives by virtue of the military, political, financial and other support given to it by Armenia which, consequently, exercises effective control over Nagorno-Karabakh and the surrounding territories".[2]

Armenia's attempts to introduce Azerbaijan's internationally recognized territory – the Nagorno-Karabakh region and other occupied districts – under different fake names are equally invalid, as they clearly violate international law, the Constitution and legislation of Azerbaijan and the principles and procedures for the international standardization of geographical names established within the United Nations. Such attempts by Armenia are evidently aimed at distorting and falsifying history and removing any signs of the Azerbaijani cultural and historical roots of the occupied territories.

Armenia's annexationist and colonization policy has no chance of succeeding. The Nagorno-Karabakh region has always been and will remain an inalienable and inseparable part of Azerbaijan. The achievement of peace, security and stability will be possible, first and foremost, if the consequences of Armenia's aggression are removed, thereby ensuring that its armed forces are immediately, unconditionally and completely withdrawn from the occupied territories of Azerbaijan, the sovereignty

[1] See S/26718, enclosure I.

[2] Grand Chamber of the European Court of Human Rights, *Chiragov and others v. Armenia*, Application No. 13216/05, Judgment (Merits), 16 June 2015, paras. 180, 183 and 185–186.

and territorial integrity of my country are restored, and the right of internally displaced Azerbaijanis to return to their homes and properties is fully guaranteed and realized.

I should be grateful if you would have the present letter circulated as a document of the General Assembly, under agenda items 35 and 41, and of the Security Council.

(*Signed*) Yashar **Aliyev**
Ambassador
Permanent Representative